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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 July 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-35</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-35</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>13 August 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/31/03, 09/22/03</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 35 are presented for examination.

Claim Objections

2.   Claim 35 is objected to because of the following informalities: "the software product" should be corrected as "the computer program product". Appropriate correction is required.

3.   Claim 35 is objected to because of the following informalities: "the steps of B".

Appropriate correction is required.

Specification

4.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As per claim 1, it appears claim 1 would reasonably be interpreted by one of ordinary skill as a system of software per se, failing to fall within a statutory category of invention. Applicant's disclosure contains definition for the term "component" as modules, routines, subroutines, classes, all or portions of client/server programs, and agent and/or proxy/stub software. As such, the system of components alone is not a machine, and it is clearly not a process, manufacture nor composition of matter.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-13, 15-19 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et al. [US Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801].

8.   As per claim 1, Hickey discloses the invention as claimed including an autonomic e-mail

processing system for use on a voluntary basis by senders and recipients as part of an e-mail

server system [i.e. a system and method for managing distribution and storage of electronic

communication such as electronic mails] [Figure 3; Abstract; and paragraph 0003], the

autonomic e-mail processing system comprising:

a first component for enabling a sender of an e-mail message to designate a first e-mail

message for autonomic processing [i.e. the electronic communication is stored in group

electronic mailbox] [25, 47, Figure 3; and paragraphs 0037, 0038 and 0041], the first e-mail

message having at least an address portion which identifies a plurality of intended recipients [

i.e. the first e-communication may have one or more intended recipients] [55, Figure 3;

paragraphs 0004, 0052 and 0053] and a note portion which contains information to be sent to

the intended recipients of the e-mail [i.e. item content portion of e-communications] [

paragraphs 0052 and 0070];

a second component for identifying the first e-mail message designated for autonomic

processing with a unique sending identification number within the autonomic processing system

[i.e. unique email address] [paragraphs 0006 and 0051];

a third component operable to enable intended recipients to indicate that an autonomic

response is being sent in response to the first e-mail message [i.e. status indicator] [57, Figure

6; and paragraphs 0041 and 0043];

a fifth component operable to enable the sender of the first e-mail message to designate

that the processing of the first e-mail message has been completed [i.e. status indicator shows

the current status, i.e. Answered, of an e-mail message] [57, Figure 6; and paragraphs 0079

and 0080]; and

a sixth component operable to inform at least a plurality of the intended recipients that

the processing of the first e-mail message has been completed [i.e. status indicator to indicate

the status of the e-mail to the members] [paragraphs 0063, 0078 and 0080].

Hickey does not specifically disclose

a fourth component for identifying each autonomic response to the first e-mail message

with a responding identification number that in combination with the unique sending

identification number for first e-mail message forms a combination identification number that is

unique within the autonomic processing system.

Smith discloses

a fourth component for identifying each autonomic response to the first e-mail message

with a responding identification number that in combination with the unique sending

identification number for first e-mail message forms a combination identification number that is

unique within the autonomic processing system [i.e. a globally unique identifier] [Abstract;

col 3, lines 19-23 and lines 46-52; and col 5, lines 40-58].

It would have been obvious to a person skill in the art at the time the invention was made

to combine the teaching of Hickey and Smith because the teaching of Smith would provide

tracking information pertaining to the access and utilization of electronic mail message and

includes sophisticated techniques for automatically storing this information [Smith, col 1, lines

9-23].

9.   As per claim 2, Hickey discloses wherein: the first component includes first means for

causing to be displayed a first indicator that is at least temporarily associated with the first e-

mail message and is visually discernable by the sender, with at least a portion of the first

indicator being operable to be selected by the sender in order to designate the first e-mail

message for autonomic processing [i.e. New status indicator] [57, Figure 6; and paragraph

0079]; the second component includes second means for causing to be displayed a second

indicator that is at least temporarily associated with the first e-mail message, is visually

discernable by the sender and displays a representation associated with at least part of the

unique sending identification number associated with the first e-mail message [i.e. display the

sender address] [143C, Figure 6; and paragraph 0063]; the third component includes third

means for causing to be displayed a plurality of third indicators that are each at least

temporarily associated with the first e-mail message and visually discernable by at least a

plurality of recipients of the first e-mail message, each on their own respective screen, with the

third indicators being respectively operable to be selected by such recipients to designate their

respective response to the first e-mail message as an autonomic response [i.e. status change to

Read, Answer] [57, Figure 6; and paragraphs 0043 and 0079]. Hickey does not specifically

disclose the fourth component includes fourth means for causing to be displayed a plurality of

fourth indicators each associated with a respective autonomic response to the first e-mail

message and visually discernable by at least the sender of the first e-mail message, with each

such fourth indicator operable to display a representation associated with at least part of the

unique combination identification number associated with that autonomic response. Smith

discloses the fourth component includes fourth means for causing to be displayed a plurality of

fourth indicators each associated with a respective autonomic response to the first e-mail

message and visually discernable by at least the sender of the first e-mail message, with each

such fourth indicator operable to display a representation associated with at least part of the

unique combination identification number associated with that autonomic response [i.e.

identification of when a recipient view a message] [Abstract; col 2, lines 57-66; and col 6,

lines 8-15]. It would have been obvious to a person skill in the art at the time the invention was

made to combine the teaching of Hickey and Smith because the teaching of Smith would

provide tracking information pertaining to the access and utilization of electronic mail message

and includes sophisticated techniques for automatically storing this information [Smith, col 1,

lines 9-23].

10.   As per claim 3, Hickey disclose wherein the first and third indicators each include radio

buttons [57, Figure 6; and paragraphs 0043 and 0079], and the second indicator each include

an area for displaying a string of characters, with at least a plurality of characters being selected

from a group of characters consisting of letters, numbers, punctuation marks and symbols [i.e.

email address] [paragraphs 0006 and 0051]. Hickey does not specifically disclose the fourth

indicator each include an area for displaying a string of characters, with at least a plurality of

characters being selected from a group of characters consisting of letters, numbers, punctuation

marks and symbols. Smith discloses the fourth indicator each include an area for displaying a

string of characters, with at least a plurality of characters being selected from a group of

characters consisting of letters, numbers, punctuation marks and symbols [i.e. globally unique

identifier is a digitized value or code number] [col 3, lines 25-33]. It would have been

obvious to a person skill in the art at the time the invention was made to combine the teaching

of Hickey and Smith because the teaching of Smith would provide tracking information

pertaining to the access and utilization of electronic mail message and includes sophisticated

techniques for automatically storing this information [Smith, col 1, lines 9-23].

11.   As per claim 4, Hickey discloses wherein: the fifth component includes fifth means for

causing to be displayed a fifth indicator at least temporarily associated with the first e-mail

message and visually discernable by the sender, that is operable to have at least a portion

thereof be selected by the sender in order to designate that the autonomic processing for the first

e-mail message has been completed [i.e. status indicator] [57, Figure 6; and paragraphs 0043,

0063 and 0079]; and the sixth component includes sixth means for causing to be displayed

plurality of sixth indicators associated at least temporarily with at least the first e-mail message

and visually discernable by at least the sender and a plurality of the intended recipients, each on

their own respective screen, the sixth indicators each being operable to display a representation

indicating that the processing of the first e-mail message is completed [i.e. Answer status of

email message to show to group members] [paragraphs 0063 and 0079].

12.   As per claim 5, Hickey discloses wherein fifth indicator includes a radio button [i.e.

status box] [57, Figure 6; and paragraph 0063], and the sixth indicators each include an area

for displaying a string of characters, with at least a plurality of the characters being selected

from a group of characters consisting of letters, numerals, punctuation marks and symbols [i.e.

addresses] [paragraphs 0053 and 0058].

13.   As per claim 6, Hickey discloses comprising: means for generating sending identification

numbers (SIDs) that are unique, relative to each original autonomic e-mail message at least

presently in the processing system that was sent for the first time by a sender to a plurality

of recipients [i.e. unique email address] [paragraphs 0006 and 0051]. Hickey does not

specifically disclose means for generating responding identification numbers (RIDs) for

identifying each autonomic response to the first e-mail message, with each such generated RID

in combination with an associated SID, being a unique combined identification number (CID)

relative to other autonomic e-mail messages and autonomic responses presently within the

autonomic e-mail processing system. Smith discloses means for generating responding

identification numbers (RIDs) for identifying each autonomic response to the first e-mail

message, with each such generated RID in combination with an associated SID, being a unique

combined identification number (CID) relative to other autonomic e-mail messages and

autonomic responses presently within the autonomic e-mail processing system [i.e. globally

unique identifier] [col 3, lines 19-52]. It would have been obvious to a person skill in the art

at the time the invention was made to combine the teaching of Hickey and Smith because the

teaching of Smith would provide tracking information pertaining to the access and utilization of

electronic mail message and includes sophisticated techniques for automatically storing this

information [Smith, col 1, lines 9-23].

14.   As per claim 7, Hickey discloses comprising: first means for designating autonomic e-

mail messages within the e-mail system so as to distinguish them from non-autonomic e-mail

messages [i.e. status information associated with the received electronic communications is

provided to active members] [Abstract; and paragraphs 0007, 0014 and 0015]; second means

for designating autonomic e-mail messages as being in process and as having been completed [

i.e. electronic communication is processed by an individual member of group and indicate status

] [paragraphs 041 and 0043]; means for automatically generating unique sending

identification numbers for use by the second component [i.e. email address] [paragraphs 0006

and 0051]. Hickey does not specifically disclose means for automatically generating

responding identification numbers for use by the fourth component. Smith discloses means for

automatically generating responding identification numbers for use by the fourth component [

i.e. globally unique identifier] [col 3, lines 19-52]. It would have been obvious to a person

skill in the art at the time the invention was made to combine the teaching of Hickey and Smith

because the teaching of Smith would provide tracking information pertaining to the access and

utilization of electronic mail message and includes sophisticated techniques for automatically

storing this information [Smith, col 1, lines 9-23].

15.   As per claim 8, Hickey discloses in which the e-mail server system is resident on an e-

mail server computer system which is operable to interact with a plurality of individual

computer stations arranged for use by senders and recipients of e-mail messages [i.e. mail

server] [Figure 3; and paragraphs 0037 and 0045], and wherein: the processing system is

implemented with a client/server architecture having a server side resident at least primarily on

the e-mail server computer system and a having a client side that is operable to communicate

with the plurality of individual computer stations [i.e. server and client user interface] [

Figures 3 and 5; and paragraphs 0037 and 0044].

16.. As per claim 9, Hickey discloses wherein: the server side has at least one program in

communication with the e-mail server system; and the client side has at least one program

operable to project at least parts of the first, third, fifth and sixth components to at least appear

to be present from time to time on the plurality of individual computer stations [Figures 3, 5

and 8; and paragraphs 0037, 0044 and 0065].

17. As per claim 10, Hickey discloses comprising: a seventh component operable to enable

an intended recipient of the first e-mail message that is responding thereto to indicate that the

processing of the first e-mail message has been completed [i.e. status indicator shows the

current status, i.e. Answered, of an e-mail message] [57, Figure 6; and paragraphs 0079 and

0080]; and an eighth component operable to inform at least a plurality of the intended

recipients that the processing of the first e-mail message is considered, by at least one of the

recipients, to be completed [i.e. status indicator to indicate the status of the e-mail to the

members] [paragraphs 0063, 0078 and 0080].

18. As per claim 11, Hickey discloses wherein: the seventh component includes means for

causing to be displayed a plurality of seventh indicators at least temporarily associated with the

first e-mail message and visually discernable by a plurality of the intended recipients, each on

their own respective screen, the seventh indicators each being operable to have at least a portion

thereof selected by its respective intended recipient in order to designate that the autonomic

processing for the first e-mail message is considered, by that recipient, to be completed [Figure

6; and paragraphs 0043 and 0079]; and the eighth component includes means for causing to be

displayed a plurality of eighth indicators associated at least temporarily with at least the first e-

mail message and visually discernable by at least the sender and a plurality of the intended

recipients, each on their own respective screen, the eighth indicators each being operable to

display a representation indicating that the processing of the first e-mail message is considered,

by a recipient, to be completed [paragraphs 0063 and 0080].

19.   As per claim 12, Hickey discloses wherein: the seventh indicators each include a radio

button [57, Figure 6; and paragraph 0043]; and the eighth indicators each include an area for

displaying a representation of the identity of the recipient who considered the processing of the

first e-mail message to be completed [Figure 10; and paragraph 0074].

20.   As per claim 13, Hickey discloses comprising: a ninth component operable by the sender

of the first e-mail message for deselecting the selection made by an intended recipient via the

seventh component [i.e. template for selecting members of first group] [70, 76, Figure 4; and

paragraph 0047].

21.   As per claim 15, it is rejected for similar reasons as stated above in claim 1. Furthermore,

Hickey discloses providing means for a plurality of senders of e-mail messages within an

organization to designated selected e-mail messages of theirs and response thereto for

autonomic processing [i.e. plurality of institutions] [25, Figure 3; and paragraphs 0036-0039];

and designated, via a selection made by a first sender, at least a first e-mail message for

automatic processing [i.e. selecting members for groups] [70, 76, Figure 4; and paragraph

0047].

22.   As per claim 16, Hickey discloses wherein step (h) is performed by automatically moving

such first e-mail message, upon being designated as completed, to a different folder within a

recipient's email folder system, the different folder being designated for holding completed

autonomic e-mail messages [i.e. separate storage area for maintaining a set of e-mail item or

messages] [paragraph 0078].

23.   As per claim 17, Hickey discloses wherein step (h) is performed by automatically

attaching to such first e-mail message within the in-box of the intended recipients thereof, an

indicator signifying that the processing of such first e-mail message is considered to be

completed [i.e. status indicator of Answer] [57, Figure 6; and paragraph 0079].

24.   As per claim 18, Hickey discloses wherein step (h) is performed by automatically

deleting such first e-mail message from the in-boxes of at least those recipients thereof that have

not yet provided a response to the first such e-mail message [paragraphs 0062 and 0078].

25.   As per claim 19, Hickey discloses wherein: step (a) includes displaying at least

temporarily to the sender of an original email message a first indicator associated with such first

e-mail message, the first indicator including a sender-selectable portion designating the e-mail

message for autonomic processing [i.e. template for creating group] [56-76; Figure 4; and

paragraph 0047]; step (b) includes the sender selecting the sender-selectable portion in order to

designate the first e-mail message for autonomic processing [i.e. select member of group] [70,

Figure 4; and paragraph 0047]; step (c) further includes sending such first e-mail message to

the plurality of intended recipients in the address portion of such first e-mail message [i.e.

transmit first group] [82, Figure 4; and paragraph 0052], and the entering information part of

step (c) includes requesting that an action be taken by at least one of the recipients of the first e-

mail [i.e. selects one or more actions from set of tools that perform desired functions] [

paragraphs 0041 and 0062], the action being selected from a group of actions consisting of

providing certain requested information, performing a specific task, making a recommendation

relative to an identified subject, and providing advice on an identified subject [paragraph 0062

]; step (d) includes providing at least a portion of the unique sending identification number as a

part of the first e-mail message when it is sent to the intended recipients [i.e. address] [

paragraphs 0006 and 0051]; step (e) includes displaying at least temporarily to each intended

recipient of the first e-mail message a second indicator associated with such first e-mail

message, the second indicator including a recipient-selectable portion [paragraph 0063]; and

step (f) includes at least a first recipient selecting the recipient-selectable portion in order to

designate his response to the first e-mail message as an autonomic response [57, Figure 6; and

paragraphs 0041 and 0043].

26.   As per claim 35, it is rejected for similar reasons as stated above in claim 1.

27.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et al. [US

Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801], and further in

view of Schiavone et al. [US Patent Application No 2002/0120581].

28.   As per claim 14, Hickey and Smith do not specifically disclose wherein the ninth

component includes a third radio button that is selectable by the sender of the first e-mail

message for deselecting the "Completed Yet" election made by an intended recipient.

Schiavone discloses wherein the ninth component includes a third radio button that is selectable

by the sender of the first e-mail message for deselecting the "Completed Yet" election made by

an intended recipient [Abstract; and paragraph 0019]. It would have been obvious to a person

skill in the art at the time the invention was made to combine the teaching of Hickey, Smith and

Schiavone because the teaching of Schiavone would provide for conducting of predefined

transactions via email which permits users to conduct transactions without a continuous

network connection which reduces costs to users and reduces security risks associated with

persistent network connections [Schiavone, paragraph 0009].

29.   Claims 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et

al. [US Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801], and

further in view of Danon [US Patent Application No 2003/0110211] and Davis et al. [US

Patent Application No 2004/0158610].

30. As per claim 20, Hickey and Smith do not specifically disclose the step of deploying

process software for automatic e-mail processing, the deployment comprising the steps of:

installing said process software on at least one server; identifying server addresses for users

accessing said process software on said at least one server; sending said process software to said

at least one server and copying said process software to a file system of said at least one server;

sending the process software to at least a first client computer; and executing said process

software on said first client computer. Danon discloses the step of deploying process software

for automatic e-mail processing, the deploying comprising the step of: installing said process

software on at least one server; identifying server addresses for users accessing said process

software on said at least one server; sending said process software to said at least one server and

copying said process software to a file system of said at least one server [i.e. user can receive

client component by accessing a predetermined Internet site] [paragraphs 0017 and 0046];

sending the process software to at least a first client computer; and executing said process

software on said first client computer [i.e. the client component is transmitted to the user's

computing device] [paragraphs 0017 and 0027]. Hickey, Smith and Danon do not specifically

disclose installing a proxy server if needed. Davis discloses installing a proxy server if needed [

i.e. deploy client proxy instant messaging] [Abstract; and paragraphs 0006, 0024 and 0025].

It would have been obvious to a person skill in the art at the time the invention was made to

combine the teaching of Hickey, Smith, Danon and Davis because it would enable to provide

interoperability between various protocols for client device [Davis, paragraph 0079].

31.   As per claim 21, Danon discloses wherein said installing said process software further

comprises: determining if programs will reside on said at least one server when said process

software is executed; identifying said at least one server that will execute said process software;

and transferring said process software to storage for said at least one server [i.e. web and email

servers] [Figure 1; and paragraphs 0042-0045].

32.   As per claim 22, Danon discloses wherein said sending said process software to said first

client computer further includes having said at least one server automatically copy said process

software to said first client computer, and running an installation program at said first client

computer to install said process software on said first client computer [i.e. client software is

installed on user's computing device] [paragraphs 0003 and 0065].

33.   As per claim 23, Danon discloses wherein said sending said process software to said first

client computer further comprises identifying a user and an address of said first client computer

[i.e. identifying recipient] [paragraphs 0045 and 0045; and claim 4].

34.   As per claim 24, Danon discloses wherein said sending said process software to said first

client computer includes sending said process software to at least one directory on said first

client computer [i.e. user temporary storage on local hard drive] [paragraph 0018].

35.   As per claim 25, Danon discloses wherein said sending said process software to said first

client computer includes sending said process software to said first client computer via e-mail [

paragraph 0049].

36.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et al. [US

Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801], and further in

view of Danon [US Patent Application No 2003/0110211].

37.   As per claim 26, Hickey and Smith do not specifically disclose integrating process

software for automatic e-mail processing, said integrating comprising the steps of: determining

if said process software will execute on at least one server; identifying an address of said at

least one server; checking said at least one server for operating systems, applications, and

version numbers for validation with said process software, and identifying any missing software

applications for said at least one server that are required for integration; updating said at least

one server with respect to any operating system and application that is not validated for said

process software, and providing any of said missing software applications for said at least one

server required for said integration; identifying client addresses and checking client computers

for operating systems, applications, and version numbers for validation with said process

software, and identifying any software applications missing from said client computers that are

required for integration; updating said client computers with respect to any operating system

and application that is not validated for said process software, and providing any missing

software application for said client computers required for said integration; and installing said

process software on said client computers and said at least one server. Danon discloses

integrating process software for automatic e-mail processing, said integrating comprising the

steps of: determining if said process software will execute on at least one server; identifying an

address of said at least one server; checking said at least one server for operating systems,

applications, and version numbers for validation with said process software, and identifying any

missing software applications for said at least one server that are required for integration;

updating said at least one server with respect to any operating system and application that is not

validated for said process software, and providing any of said missing software applications for

said at least one server required for said integration; identifying client addresses and checking

client computers for operating systems, applications, and version numbers for validation with

said process software, and identifying any software applications missing from said client

computers that are required for integration; updating said client computers with respect to any

operating system and application that is not validated for said process software, and providing

any missing software application for said client computers required for said integration; and

installing said process software on said client computers and said at least one server [i.e.

determine if new and revive client component is available, checking for new version and update

itself] [paragraph 0027]. It would have been obvious to a person skill in the art at the time the

invention was made to combine the teaching of Hickey, Smith and Danon because the teaching

of Danon would provide a method and system of communicating content between and among

computing devices in a manner that reduces bandwidth and storage size requirements [Danon,

paragraph 0006].

38.   Claims 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et

al. [US Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801], and

further in view of Atencio et al. [US Patent Application No 2004/0210450].

39.   As per claim 27, Hickey and Smith do not specifically disclose on demand sharing of

process software for automatic e-mail processing, said on demand sharing comprising the steps

of: creating a transaction containing unique customer identification, requested service type, and

service parameters; sending said transaction to at least one main server; querying said at least

one main server about processing capacity associated with said at least one main server to help

ensure availability of adequate resources for processing of said transaction; and allocating

additional processing capacity when additional capacity appears needed to process said

transaction, said additional processing capacity being selected from the group of additional

capacities consisting of central processing unit capacity, processor memory capacity, network

bandwidth capacity, and storage capacity. Atencio discloses on demand sharing of process

software for automatic e-mail processing, said on demand sharing comprising the steps of:

creating a transaction containing unique customer identification, requested service type, and

service parameters; sending said transaction to at least one main server; querying said at least

one main server about processing capacity associated with said at least one main server to help

ensure availability of adequate resources for processing of said transaction; and allocating

additional processing capacity when additional capacity appears needed to process said

transaction, said additional processing capacity being selected from the group of additional

capacities consisting of central processing unit capacity, processor memory capacity, network

bandwidth capacity, and storage capacity [i.e. service configuration checks a capacity

validation process to make sure that the infrastructure can handle new digital video stream] [

paragraphs 0027 and 0053-0060]. It would have been obvious to a person skill in the art at the

time the invention was made to combine the teaching of Hickey, Smith and Atencio because the

teaching of Atencio would provide components for controlling service management, account

management and device management for facilitating the self-provisioning of services by a

subscriber, or plurality of subscribers of communications and/or media services [Atencio,

paragraph 0002].

40.   As per claim 28, Atencio discloses recording a plurality of usage measurements selected

from the group of usage measurements consisting of network bandwidth, processor memory,

storage, and central processing unit cycles [i.e. bandwidth] [paragraphs 0008 and 0100].

41.   As per claim 29, Atencio discloses summing said usage measurements; acquiring at least

one multiplicative value associated with said usage measurements and with unit costs; and

recording any such acquired multiplicative value as an on demand charge to a requesting

customer [i.e. charge and billing process] [paragraphs 0026, 0034 and 0044].

42.   As per claim 30, Atencio discloses at least one of: posting said on demand charge on a web site if requested by said requesting customer; and sending said on demand charge via e-mail to said requesting customer's e-mail address [i.e. account management] [paragraphs 0045-0052].

43.   As per claim 31, Atencio discloses charging said on demand charge to said requesting customer's account if an account exists and if said requesting customer has selected a charge account payment method [i.e. setup billing account and payment method] [paragraphs 0045-0052].

44.   Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et al. [US Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801], and further in view of Roskind et al. [US Patent Application No 2004/0128540].

45.   As per claim 32, Hickey and Smith do not specifically disclose deploying, accessing, and executing process software for automatic e-mail processing through a virtual private network, the method further comprising the steps of: determining if a virtual private network is required; checking for remote access to said virtual private network when it is required; if said remote access does not exist, identifying a third party provider to provide secure, encrypted connections between a private network and remote users; identifying said remote users; and setting up a network access server operable for downloading and installing client software on desktop

computers for remote access of said virtual private network; accessing said process software; transporting said process software to at least one remote user's desktop computer; and executing said process software on said at least one remote user's desktop computer. Roskind discloses deploying, accessing, and executing process software for automatic e-mail processing through a virtual private network [130, Figure 1; and paragraph 0036], the method further comprising the steps of: determining if a virtual private network is required; checking for remote access to said virtual private network when it is required; if said remote access does not exist, identifying a third party provider to provide secure, encrypted connections between a private network and remote users; identifying said remote users; and setting up a network access server operable for downloading and installing client software on desktop computers for remote access of said virtual private network; accessing said process software; transporting said process software to at least one remote user's desktop computer; and executing said process software on said at least one remote user's desktop computer [Figures 5 and 6; and paragraphs 0056-0060]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Hickey, Smith and Roskind because the teaching of Roskind would provide a secured communication path that allows two separate networks or client devices to be connected over a WAN without exposing transmitted data to viewing by unauthorized parties [Roskind, paragraph 0036].

46.   As per claim 33, Roskind discloses determining if said virtual private network has a site-to-site configuration for providing site-to-site access, and if said virtual private network is not so available, installing equipment required to establish a site-to-site configuration for said

virtual private network; installing large scale encryption into said site-to-site virtual private network; and accessing said process software through said site-to-site configuration with large scale encryption [paragraphs 0061-0064].

47.   Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hickey et al. [US Patent No 2002/0087646], in view of Smith et al. [US Patent No 7,139,801], and further in view of Roskind et al. [US Patent Application No 2004/0128540], and further in view of Weiss [US Patent No 6,930,598].

48.   As per claim 34, Hickey, Smith, and Roskind do not specifically disclose dialing into said network access server; and attaching directly via a modem into said network access server, said modem being selected from the group of modems consisting of telephone dial-up modems, cable modems, DSL modems and wireless modems. Weiss discloses dialing into said network access server; and attaching directly via a modem into said network access server, said modem being selected from the group of modems consisting of telephone dial-up modems, cable modems, DSL modems and wireless modems [col 7, lines 30-col 8, lines 9; and col 13, lines 38-40]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Hickey, Smith, Roskind and Weiss because the teaching of Weiss would provide a variety of network services to computers and other devices both within the home and connected through the Internet [Weiss, paragraph 0001].

49.   A shortened statutory period for response to this action is set to expire **3 (three) months**

and 0 (zero) days from the mail date of this letter. Failure to respond within the period for

response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P

710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The

examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen

Examiner